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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
In re Application of Atty. Docket

FRANCISCUS C.H.T. LIEDENBAUM NL 000590

Serial No. 10/003,061

Group Art Unit: 2674

Filed: NOVEMBER 2, 2001

Examiner: XIAO M. WU

Title: DISPLAY DEVICE

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Mail Stop: Petitions

MAY 27 2004

MAY 24 2004

Commissioner for Patents  
Alexandria, VA 22313

Technology Center 2600 OFFICE OF PETITIONS

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE final Office action  
UNDER 37 CFR §1.181(a)

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JUN - 8 2004

Sir:

Applicant requests that the Patent and Trademark Office withdraw the Notice of Abandonment mailed on April 28, 2004 (Exhibit A) in this patent application for failure to timely reply to the final Office action mailed on 25 September 2003, which was never received by this office.

In the Notice, U.S. Patent Application No. 10/003,061 was stated to be abandoned for failure to timely file a proper reply to the final Office action mailed on 25 September 2003. At this time, I personally had not received the final Office action in this Application, nor did I have any personal knowledge to the effect that any persons in my office received a final Office action.

In response to this Notice, I personally reviewed the corresponding docket record (Exhibit B) to determine if a final Office action was in fact received on or around 25 September 2003. I further reviewed the docket record to determine whether some response on this Application was due on

a date that was some one, two, or three month multiple on or around 25 September 2003. This review showed no received communication was noted on the docket record. I further searched the contents of the docket file and again found no copy or reference to a final Office action received subsequent to 25 September 2003.

I then reviewed our computerized docket record for docket number NL000590, corresponding to U.S. Patent Application No. 10/003,061 (Exhibit C) to determine if any such final Office action or required response was noted. I discovered no notation indicating that such final Office action or response was received or due for this Application.

Following receipt of the Notice of Abandonment my assistant, Edna Chapa, telephoned the Office of Initial Examination Division at the telephone number listed on the bottom of the Notice of Abandonment. Ms. Chapa explained that we had never received the final Office action and requested that a facsimile copy be sent for our records. However, the statutory period for responding to the final Office action mailed on 25 September 2003 expired before the Notice of Abandonment was mailed or received. Accordingly, we are statutorily unable to respond to the final Office action unless the Abandonment is withdrawn and the final Office action is re-mailed with a new mailing date.

The Applicant has made a diligent and sincere effort to clearly set out the facts and circumstances surrounding this matter and believes that a sufficient showing is made thereby for an immediate allowance of this Petition and notice to this effect is earnestly solicited.

Accordingly, it is requested that the Notice of Abandonment dated April 28, 2004 be withdrawn, the status of

the above-identified application be changed from abandoned to pending, and a new final or other Office action be mailed in due course.

If there are any difficulties regarding this matter, it is requested that the undersigned be contacted at the telephone number indicated below.

Respectfully submitted,

By   
Eric M. Bram, Reg. 37,285  
Attorney, (914) 333-9635

Encl.:

- Exhibit A: Copy of Notice of Abandonment dated April 28, 2004
- Exhibit B: Copy of Corresponding Docket Record
- Exhibit C: Copy of Computerized Docket Record

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313

On May 18, 2004  
By Edu Chapa



A  
UNITED STATES PATENT AND TRADEMARK OFFICE

BKR/11

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,061	11/02/2001	Coen Theodorus Hubertus Fransiscus Liedenbaum	NL 000590	4835

24737 7590 04/28/2004  
PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

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MAY 24 2004

OFFICE OF PETITIONS

EXAMINER

WU, XIAO MIN

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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MAY 27 2004

Technology Center 2600

04 APR 30 AM 10: 58

DOCKETED	DATE	INITIALS
COMPUTER	APR 29 2004	
SACRETARY	5/6/04	gc
ATTORNEY		

**RECEIVED**  
MAY 24 2004

**OFFICE OF PETITIONS**

**Notice of Abandonment**

Application No.	Applicant(s)	
10/003,061	LIEDENBAUM, COEN THEODORUS HUBERTUS FRA	
Examiner	Art Unit	
XIAO M. WU	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 25 September 2003.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

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MAY 27 2004

Technology Center 2600

XIAO M. WU  
Primary Examiner  
Art Unit: 2674

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

(703) 305-4721

HILIPS ELECTRONICS NORTH AMERICA CORPORATION  
580 WHITE PLAINS ROAD  
TARRYTOWN, N.Y. 10591

#### **CORPORATE INTELLECTUAL PROPERTY**

WAC CODE

06

B

APPLN. NO.: 101003,061

FILING DATE 11/2/01

PH NL 000590

3ntor(s) Liedenbaum Fransiscus C.H.T.

Display device

ignee KPENV

ignment Recorded 11/2/01 Reel 12355 Frame 939-946

**ed** \_\_\_\_\_ Final Fee Paid

Final Fee Paid

it No. \_\_\_\_\_ Date \_\_\_\_\_

Date

read and Stripped on \_\_\_\_\_ By \_\_\_\_\_

By



LIEDENBAUM, COEN THEO

2002

C

PH number : NL000590 D [REDACTED]AY DEVICE  
ID number : 604365  
Basic appl. : EP P 07NOV2000  
First inventor: C.T.H.F. LIEDENBAUM  
PE basic appl : REINTS BOK, W.  
.PE group : IP&S-NL

PPM code : PS07-03

UNITED STATES OF AMERICA		NORMAL		
Deadline	Advice dat	Receive	Mail	Note
09OCT2003	09JUL2003	09APR2003	09JUL2003	OUT
28MAY2004	28MAY2004	28APR2004		; PTO E

F8 = Selection menu  
Return = Next field F12 = Prev. field